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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/566,086	04/20/2006	Rene Burgermeister	F8975	1012
28107 7590 01/31/2011 JORDAN AND HAMBURG LLP 122 EAST 42ND STREET SUITE 4000 NEW YORK, NY 10168			EXAMINER BADR, HAMID R	
			ART UNIT 1781	PAPER NUMBER
			MAIL DATE 01/31/2011	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

***Advisory Action***

Applicants' amendment after final rejection filed 1/10/2011 is acknowledged. The after final amendment is not entered for the following reasons:

1. Amendments to claims 13, 15, 21 will raise issues which require further consideration and search.
2. Amendments to claims 1 and 15 raises issues under 35 U.S.C. 112 second paragraph because claim 1 now recites that fermentation rate is reduced at 0-6°C. It is not clear how fermentation can be done at any rate at 0°C.
3. Amendment to claim 15 recites "the temperature of the blend during a part of the fermentation is 4 -8°C. This raises issues under 35 U.S.C 112 second paragraph because it is not clear what is meant by "during a part of the fermentation". The word part does not appear to precisely define the cross section of time when the temperature is exactly at the recited values.

For the above reasons the amendment is not entered.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HAMID R. BADR whose telephone number is (571)270-3455. The examiner can normally be reached on M-F, 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Keith Hendricks can be reached on (571) 272-1401. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Hamid R Badr  
Examiner  
Art Unit 1781

/Keith D. Hendricks/  
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